INDEX

	PAGE
Chronological List of Relevant Docket Entries	1
Petition for Writ of Habeas Corpus	3
Motion for Leave to Proceed in Forma Pauperis	13
Affidavit in Support of Motion to Proceed in Forma Pauperis	14
Notice of Motion	16
Affidavit in Support of Motion	17
Order to Show Cause	19
Notice of Appeal	20
Affidavit of Forma Pauperis	21
Certificate of Probable Cause	22
Decision of the United States Court of Appeals for the Second Circuit	23
Order of the United States Court of Appeals for the Second Circuit	33
Denial of Petition for Rehearing and Petition for Rehearing in banc by the United States Court of Appeals for the Second Circuit is Printed in the Petition for Writ of Certiorari at pp. 1a and 2a	34
Judgment on Order of Court of Appeals	34
Judgment on Order of United States District Court for the Western District of New York, Remanding Petitioner for Re-Sentence	35

PAGE

Testimony of Alex Holm and William Charles Stubbs 36

Alex Holm,

Direct 37
Cross 61
Re-direct 67
Rebuttal 103

William Charles Stubbs,

Direct 75
Cross 90

Chronological List of Relevant Docket Entries.

Civ—1969-136 William C. Stubbs v. Mancusi

Date	Proceedings	Date Order or Judgment Noted
1969		
Apr. 22	Filed petition for writ of habeas corpus	
22	Filed Decision & Order allowing filing in forma pauperis & Order that respondent show cause why a writ should not issue—Burke, J. (notice to petitioner) ret. 5/12/69 at Roch.-subm.	F-91
July 1	Filed Findings of Fact, Conclusion of Law & Order denying writ, denying certificate of probable cause and denying appeal in forma pauperis but allowing filing notice of appeal without payment—Burke, J. (notice to petitioner & Mr. Jenczka)	F-94
10	Filed Notice of Appeal (copy mailed to Mr. Jenczka and to Clerk, CCA with copy of docket entries)	
Oct. 8	Filed copy of order of CCA granting motion for certificate of probable cause, for leave to proceed in forma pauperis and for assignment of counsel. (Record to be retained for use of Bruce A. Carpenter, Esq., assigned counsel, until he files brief and appendix)	

Chronological List of Relevant Docket Entries.

Date	Proceedings	Date Order or Judgment Noted
1970		
Jan. 12	Original papers, exhibits, docket entries and Clerk's certificate mailed to Clerk, CCA	
1971		
May 27	Filed opinion & judgment of CCA reversing District Court order with costs to be taxed against the Appellee	
June 2	Filed Judgment on Order of Court of Appeals—Burke, J. (notice & cy. to petitioner and Mr. Lefkowitz, Bflo.)	F-117
17	Filed Order remanding petitioner to the custody of Monroe County Sheriff for re-sentence in the Monroe County Court—Burke, J. (notice to petitioner & Mr. Lefkowitz, Bflo.)	F-117

Petition for Writ of Habeas Corpus.

IN THE

UNITED STATES DISTRICT COURT,
WESTERN DISTRICT OF NEW YORK,
ROCHESTER, NEW YORK.

UNITED STATES OF AMERICA
ex rel. WILLIAM C. STUBBS
No. #22393

Petitioner,

vs.

HON. VINCENT R. MANCUSI, Warden, Attica State Prison, Attica, N. Y.,

Respondent.

Comes now the Petitioner, William C. Stubbs, in the above titled cause, who was tried, convicted and sentenced to Attica State Prison at Attica, New York, by the Monroe County Criminal Court, Rochester, New York, October 7th, 1966 for the crimes of possession of a loaded firearm in violation of former Penal Law § 1897, subd. 2. for which he received thirteen to fourteen years in Attica State Prison, Attica, New York, and for Assault in the first degree in violation of former Penal Law § 240, for which he was sentenced to nineteen to twenty years in Attica State Prison, Attica, New York.

The grounds for this petition are that the Petitioner was deprived of the effective assistance of counsel and errors in deprivation of his rights under New York Law and under the United States Constitution, namely the 4th, 5th, 6th and 14th Amendments of the Constitution of the United States.